

REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. INVESTMENT OF THRIFT SAVINGS FUND.**

Section 8438 of title 5, United States Code, is amended by adding at the end the following:

“(i)(1) In this subsection—  
“(A) the term ‘PCAOB’ means the Public Company Accounting Oversight Board; and

“(B) the term ‘registered public accounting firm’ has the meaning given the term in section 2(a) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7201(a)).

“(2) Notwithstanding any other provision of this section, no sums in the Thrift Savings Fund may be invested in any security that is listed on an exchange in a jurisdiction in which the PCAOB is prevented from conducting a complete inspection or investigation of a registered public accounting firm under section 104 or 105 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7214, 7215), respectively, because of a position taken by an authority in that jurisdiction, as determined by the PCAOB.

“(3) The Board shall consult with the Securities and Exchange Commission on a biennial basis in order to ensure compliance with paragraph (2).”.

**SA 4351.** Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

**SEC. 1253. EXPANSION OF ENTITIES OF THE PEOPLE'S REPUBLIC OF CHINA SUBJECT TO PRESIDENTIAL AUTHORITIES UNDER THE INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.**

Section 1237 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261; 50 U.S.C. 1701 note) is amended—

(1) in subsection (a)(1), by striking “(other than authorities relating to importation)”;

and

(2) in subsection (b)(4)(B)—

(A) by striking clause (i) and inserting the following new clause (i):

“(i) is owned or controlled by, affiliated with, or otherwise shares common purpose or relevant characteristics with, the People's Liberation Army or a ministry of the government of the People's Republic of China, or that is owned or controlled by an entity affiliated with or that otherwise shares common purpose or relevant characteristics with the defense industrial base or surveillance technology sector of the People's Republic of China; and”;

(B) in clause (ii) by inserting “research and development,” after “services.”.

**SA 4352.** Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. INTEGRITY AND SECURITY OF FINANCIAL MARKETS.**

(a) **SHORT TITLE.**—This section may be cited as the “American Financial Markets Integrity and Security Act”.

(b) **PROHIBITIONS RELATING TO CERTAIN COMMUNIST CHINESE MILITARY COMPANIES.**—

(1) **DEFINITIONS.**—In this subsection:

(A) **COMMISSION.**—The term “Commission” means the Securities and Exchange Commission.

(B) **CONTROL; INSURANCE COMPANY.**—The terms “control” and “insurance company” have the meanings given the terms in section 2(a) of the Investment Company Act of 1940 (15 U.S.C. 80a-2(a)).

(C) **COVERED ENTITY.**—

(i) **IN GENERAL.**—The term “covered entity”—

(I) means an entity on—

(aa) the list of Communist Chinese military companies required by section 1237(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261; 50 U.S.C. 1701 note); or

(bb) the entity list maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of title 15, Code of Federal Regulations; and

(II) includes a parent, subsidiary, or affiliate of, or an entity controlled by, an entity described in subclause (I).

(ii) **GRACE PERIOD.**—For the purposes of this section, and the amendments made by this section, an entity shall be considered to be a covered entity beginning on the date that is 1 year after the date on which the entity first qualifies under the applicable provision of clause (i).

(D) **EXCHANGE; SECURITY.**—The terms “exchange” and “security” have the meanings given those terms in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)).

(2) **PROHIBITIONS.**—

(A) **LISTING ON EXCHANGE.**—Beginning on the date that is 1 year after the date of enactment of this Act, the Commission shall prohibit a covered entity from offering to sell or selling on an exchange (or through any other method that is within the jurisdiction of the Commission to regulate, including through the method of trading that is commonly referred to as the “over-the-counter” trading of securities) securities issued by the covered entity, including pursuant to an exemption to section 5 of the Securities Act of 1933 (15 U.S.C. 77e).

(B) **INVESTMENTS; LIMITATION ON ACTIONS.**—

(i) **IN GENERAL.**—The Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.) is amended—

(I) in section 12(d) (15 U.S.C. 80a-12(d)), by adding at the end the following:

“(4)(A) It shall be unlawful for any investment company, or any person that would be an investment company but for the application of paragraph (1) or (7) of section 3(c), to invest in a covered entity.

“(B) In this paragraph, the term ‘covered entity’ has the meaning given the term in

subsection (b)(1)(C) of the American Financial Markets Integrity and Security Act.”; and

(II) in section 13(c)(1) (15 U.S.C. 80a-13(c)(1))—

(aa) in subparagraph (A), by striking “or” at the end;

(bb) in subparagraph (B), by striking the period at the end and inserting “or”; and

(cc) by adding at the end the following:

“(C) are covered entities, as that term is defined in section 12(d)(4)(B).”.

(ii) **EFFECTIVE DATE.**—The amendments made by clause (i) shall take effect on the date that is 1 year after the date of enactment of this Act.

(C) **FEDERAL FUNDS.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), on and after the date that is 180 days after the date of enactment of this Act, no Federal funds may be used to enter into, extend, or renew a contract or purchasing agreement with a covered entity.

(ii) **WAIVER.**—The head of a Federal agency may issue a national security waiver to the prohibition in clause (i) for a period of not more than 2 years with respect to a covered entity if the agency head submits to Congress a notification that includes—

(I) a written justification for the waiver; and

(II) a plan for a phase-out of the goods or services provided by the covered entity.

(D) **INVESTMENTS BY INSURANCE COMPANIES.**—

(i) **IN GENERAL.**—On and after the date of enactment of this Act, an insurance company may not invest in a covered entity.

(ii) **CERTIFICATION OF COMPLIANCE.**—

(I) **IN GENERAL.**—Each insurance company shall, on an annual basis, submit to the Secretary of the Treasury a certification of compliance with clause (i).

(II) **RESPONSIBILITIES OF THE SECRETARY.**—The Secretary of the Treasury shall create a form for the submission required under subclause (I) in such a manner that minimizes the reporting burden on an insurance company making the submission.

(iii) **SHARING INFORMATION.**—The Secretary of the Treasury, acting through the Federal Insurance Office, shall share the information received under clause (ii) and coordinate verification of compliance with State insurance offices.

(3) **QUALIFIED TRUSTS, ETC.**—

(A) **IN GENERAL.**—Subsection (a) of section 401 of the Internal Revenue Code of 1986 is amended by inserting after paragraph (38) the following new paragraph:

“(39) **PROHIBITED INVESTMENTS.**—A trust which is part of a plan shall not be treated as a qualified trust under this subsection unless the plan provides that no part of the plan's assets will be invested in any covered entity (as defined in section 12(d)(6)(B) of the Investment Company Act of 1940).”.

(B) **IRAS.**—Paragraph (3) of section 408(a) of such Code is amended by striking “contracts” and inserting “contracts or in any covered entity (as defined in section 12(d)(6)(B) of the Investment Company Act of 1940).”.

(C) **FIDUCIARY DUTY.**—Section 404 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1104) is amended by adding at the end the following new subsection:

“(f) **PROHIBITED INVESTMENTS.**—No fiduciary shall cause any assets of a plan to be invested in any covered entity (as defined in section 12(d)(6)(B) of the Investment Company Act of 1940 (15 U.S.C. 80a-12(d)(6)(B))).”.

(D) **EFFECTIVE DATE.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), the amendments made by this paragraph shall apply to plan years beginning after the date which is 180 days after the date of the enactment of this Act.

(ii) PLAN AMENDMENTS.—If clause (iii) applies to any retirement plan or contract amendment—

(I) such plan or contract shall not fail to be treated as being operated in accordance with the terms of the plan during the period described in clause (iii)(II) solely because the plan operates in accordance with the amendments made by this subsection, and

(II) except as provided by the Secretary of the Treasury (or the Secretary's delegate), such plan or contract shall not fail to meet the requirements of the Internal Revenue Code of 1986 or the Employee Retirement Income Security Act of 1974 by reason of such amendment.

(iii) AMENDMENTS TO WHICH PARAGRAPH APPLIES.—

(I) IN GENERAL.—This clause shall apply to any amendment to any plan or annuity contract which—

(aa) is made pursuant to the provisions of this subsection, and

(bb) is made on or before the last day of the first plan year beginning on or after the date which is 2 years after the date of the enactment of this Act (4 years after such date of enactment, in the case of a governmental plan).

(II) CONDITIONS.—This clause shall not apply to any amendment unless—

(aa) during the period beginning on the date which is 180 days after the date of the enactment of this Act, and ending on the date described in subclause (I)(bb) (or, if earlier, the date the plan or contract amendment is adopted), the plan or contract is operated as if such plan or contract amendment were in effect, and

(bb) such plan or contract amendment applies retroactively for such period.

(iv) SUBSEQUENT AMENDMENTS.—Rules similar to the rules of clauses (ii) and (iii) shall apply in the case of any amendment to any plan or annuity contract made pursuant to any update of the list of Communist Chinese military companies required by section 1237(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261; 50 U.S.C. 1701 note) which is made after the effective date of the amendments made by this paragraph.

(c) MODIFICATION OF REQUIREMENTS FOR LIST OF COMMUNIST CHINESE MILITARY COMPANIES.—Section 1237(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261; 50 U.S.C. 1701 note) is amended—

(1) by striking paragraph (2) and inserting the following:

“(2) REVISIONS TO THE LIST.—

“(A) ADDITIONS.—The Secretary of Defense, the Secretary of Commerce, or the Director of National Intelligence may add a person to the list required by paragraph (1) at any time.

“(B) REMOVALS.—A person may be removed from the list required by paragraph (1) if the Secretary of Defense, the Secretary of Commerce, and the Director of National Intelligence agree to remove the person from the list.

“(C) SUBMISSION OF UPDATES TO CONGRESS.—Not later than February 1 of each year, the Secretary of Defense shall submit a version of the list required in paragraph (1), updated to include any additions or removals under this paragraph, to the committees and officers specified in paragraph (1).”;

(2) by striking paragraph (3) and inserting the following:

“(3) CONSULTATION.—In carrying out paragraphs (1) and (2), the Secretary of Defense, the Secretary of Commerce, and the Director of National Intelligence shall consult with each other, the Attorney General, and the Director of the Federal Bureau of Investigation.”; and

(3) in paragraph (4), in the matter preceding subparagraph (A), by striking “making the determination required by paragraph (1) and of carrying out paragraph (2)” and inserting “this section”.

(d) ANALYSIS OF FINANCIAL AMBITIONS OF THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.—

(1) ANALYSIS REQUIRED.—The Director of the Office of Commercial and Economic Analysis of the Air Force shall conduct an analysis of—

(A) the strategic importance to the Government of the People's Republic of China of inflows of United States dollars through capital markets to the People's Republic of China;

(B) the methods by which that Government seeks to manage such inflows;

(C) how the inclusion of the securities of Chinese entities in stock or bond indexes affects such inflows and serves the financial ambitions of that Government; and

(D) how the listing of the securities of Chinese entities on exchanges in the United States assists in—

(i) meeting the strategic goals of that Government, including defense, surveillance, and intelligence goals; and

(ii) the fusion of the civilian and military components of that Government.

(2) SUBMISSION TO CONGRESS.—The Director of the Office of Commercial and Economic Analysis of the Air Force shall submit to Congress a report—

(A) setting forth the results of the analysis conducted under paragraph (1); and

(B) based on that analysis, making recommendations for best practices to mitigate any national security and economic risks to the United States relating to the financial ambitions of the Government of the People's Republic of China.

**SA 4353.** Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

**SEC. 1283. LIMITATION ON USE OF FUNDS FOR THE 2022 OLYMPIC AND PARALYMPIC WINTER GAMES IN CHINA.**

(a) IN GENERAL.—None of the funds authorized to be appropriated or otherwise made available by this Act may be made available to provide transportation for any United States officer or official to attend, on official Government business, the 2022 Olympic and Paralympic Winter Games in the People's Republic of China.

(b) RULE OF CONSTRUCTION.—Nothing in this section may be construed to limit the authorization of appropriations to provide security during the 2022 Olympic and Paralympic Winter Games to any United States athlete or associated support staff of the United States Olympic and Paralympic Committee.

**SA 4354.** Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for mili-

tary activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XII, add the following:

**SEC. 1210. SECURITY ASSISTANCE FOR COLOMBIA.**

(a) STATEMENT OF POLICY.—It is the policy of the United States—

(1) to build the capacity of the navy of Colombia for interoperability with—

(A) the United States;

(B) member countries of the North Atlantic Treaty Organization; and

(C) other Colombian security partners; and

(2) to bolster the ability of the military forces of Colombia to export maritime security to Central American partner countries.

(b) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated for fiscal year 2022 for the Department of Defense—

(1) \$20,000,000 for Foreign Military Financing assistance to Colombia for the procurement and sustainment of additional aluminum-hull riverine vessels and new littoral-riverine vessels, including training of personnel on the use of such vessels;

(2) \$10,000,000 for the acquisition by Colombia of man-portable vertical lift unmanned aircraft systems for intelligence, signals, and reconnaissance support for riverine and littoral operations; and

(3) \$10,000,000 to equip the marines of Colombia with Falcon-III radios for the purpose of supporting interoperable radio and data transmission.

(c) PROHIBITION ON USE OF FUNDS.—None of the funds made available by this Act or any other Act may be made available for the transfer of funds to the Revolutionary Armed Forces of Colombia (commonly known as “FARC”), the Ejército de Liberación Nacional (commonly known as “ELN”), or any other organization designated as a foreign terrorist organization under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)).

**SA 4355.** Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title X, add the following:

**SEC. 1004. AUTHORIZATION OF APPROPRIATIONS FOR THE OFFICE OF CUBA BROADCASTING.**

There is authorized to be appropriated to the United States Agency for Global Media not less than \$29,144,000 for fiscal year 2022 for the Office of Cuba Broadcasting, of which not less than \$3,000,000 should be used—

(1) to deliver satellite-based broadband Internet services to the people of Cuba to give them unfettered access to the open Internet;

(2) to create an access point for the satellite broadband through a Radio Televisión Martí website that acts as a news aggregator rather than solely serving as a content provider; and